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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/642,212

Confirmation No.: 2227

In re Application of:

Toshio YOSHIHARA et al.

Group Art Unit: 1751

Filed: August 18, 2003

Examiner: John McPherson

For: COLORING MATERIAL AND COLOR FILTER

CONFIRMATION OF TELEPHONE ELECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PLEASE ACCEPT THIS AS
AUTHORIZATION TO DEBIT
OR CREDIT FEES TO
DEP. ACCT. 16-0331
PARKHURST & WENDEL

The Examiner in charge of the above-identified application telephoned applicants' representatives on July 2, 2004, to communicate a Restriction Requirement under 35 U.S.C. §121 between Group I, claims 25-52 and Group II, claims 53-62.

In response to that requirement, applicants' undersigned representative made a provisional election during a telephone conference with the Examiner on July 23, 2004 to prosecute the invention of Group II (i.e., claims 53-62) in this application. Applicants' undersigned representative hereby confirms that this

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provisional election was made with traverse, since no adequate basis therefor has been stated in the record.

Search and examination of the entire application could be made without serious burden. See MPEP §803 which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to avoid unnecessary delay and expense to applicants and unnecessary duplicative examination by the USPTO.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.



Roger W. Parkhurst
Registration No. 25,177

July 23, 2004
Date

RWP/ch

Attorney Docket No.: DAIN:560A

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